

**FILED**

JUL - 7 2003

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

SACRAMENTO DIVISION

NATIONAL SEMICONDUCTOR  
CORPORATION,

Plaintiff/Counterclaim-  
Defendant,

v.

BROADCOM CORPORATION,  
SERVERWORKS CORPORATION,  
ALTIMA COMMUNICATIONS, INC., and  
BROADCOM HOMENETWORKING, INC.,

Defendants/Counterclaim-  
Plaintiffs.

Case No. CIV. S-02-0939 WBS JFM

**STIPULATION AND ORDER  
DISMISSING WITH PREJUDICE ALL  
CLAIMS, COUNTERCLAIMS, AND  
AFFIRMATIVE DEFENSES**

**LODGED**

JUL - 2 2003

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY AMS DEPUTY

Plaintiff/Counterclaim Defendant National Semiconductor Corporation ("NSC") and Defendants/Counterclaim Plaintiffs Broadcom Corporation, Serverworks Corporation, Altima Communications, Inc., and Broadcom Homenetworking, Inc. (collectively "Broadcom"), through signatures of their authorized representatives below, hereby respectfully request that, pursuant to Federal Rule of Civil Procedure 41, the Court enter an order dismissing this matter with prejudice in accordance with the following stipulations:

1. NSC and Broadcom hereby stipulate and agree that all claims, counterclaims and affirmative defenses that have been asserted by NSC in this civil action against Broadcom, its subsidiaries, affiliates, customers, officers, directors or agents, as well as all claims, counterclaims and affirmative defenses that could have been asserted, whether or not such claims, counterclaims and affirmative defenses were known to, suspected by or disclosed to NSC, be dismissed.

STIPULATION AND ORDER DISMISSING WITH PREJUDICE ALL CLAIMS, COUNTERCLAIMS, AND AFFIRMATIVE DEFENSES

- 1                   2. NSC and Broadcom hereby stipulate and agree that all claims, counterclaims and  
2                   affirmative defenses that have been asserted by Broadcom in this civil action  
3                   against NSC, its subsidiaries, affiliates, customers, officers, directors or agents, as  
4                   well as all claims, counterclaims and affirmative defenses that could have been  
5                   asserted, whether or not such claims, counterclaims and affirmative defenses were  
6                   known to, suspected by or disclosed to Broadcom, be dismissed.
- 7                   3. The dismissals set forth and described in Paragraphs 1 and 2 above shall be with  
8                   prejudice in accordance with the Settlement Agreement between the parties dated  
9                   June 27, 2003.

4. Each party shall bear its own costs and attorneys' fees.

Respectfully submitted,

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SERVERWORKS CORPORATION,  
ALTIMA COMMUNICATIONS, INC. and  
BROADCOM HOMENETWORKING,  
INC.

Date: June 27, 2003

Date: June 27, 2003

**IT IS SO ORDERED:**

Date: 7/3/2003

  
UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I am a citizen of the United States, over eighteen years of age and not a party to the within action. My business address is 801 K Street, 23rd Floor, Sacramento, California, 95814.

On July 2, 2003, I served the following:

**STIPULATION AND ORDER DISMISSING WITH PREJUDICE ALL CLAIMS, COUNTERCLAIMS, AND AFFIRMATIVE DEFENSES**

on the parties to said action by placing a copy thereof in a sealed envelope with postage fully prepaid thereon for collection and mailing on that date following ordinary business practices addressed as follows:

- [X] BY FIRST CLASS MAIL [ ] BY EXPRESS MAIL: *I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States Mail at Sacramento, California. I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service and know that each day's correspondence is deposited with the United States Postal Service that same day in the ordinary course of business.*
- [X] BY TELEFACSIMILE TRANSMISSION: *I transmitted the above-described document from a telefacsimile machine, whose telephone number is 916/491-3080, to the person(s) listed above at the indicated fax machine telephone number(s). The above-described transmission was reported as complete without error by a transmission report issued by the telefacsimile machine upon which said transmission was made, immediately following the transmission. (CRC 2008(e)(4))*

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- [X] BY PERSONAL DELIVERY USING COURIER SERVICE: *I caused the above-described document to be delivered to an authorized courier service or driver with instructions to hand-deliver said document to the person(s) listed above at their respective addresses.*

Chris Gibson, Esq.  
Boutin Dentino Gibson  
Di Giusto Hodell Inc.  
555 Capitol Mall, Suite 1500  
Sacramento, CA 95814

- [X] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 2, 2003, at Sacramento, California.

  
Linda Ess

PROOF OF SERVICE

CASE NO. CIV. S-02-0939 WBS JFM

United States District Court  
for the  
Eastern District of California  
July 7, 2003

\* \* CERTIFICATE OF SERVICE \* \*

2:02-cv-00939

Natl Semiconductor

v.

Broadcom Corporation

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on July 7, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

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Jack L. Wagner, Clerk

BY: L. Mena Sanchez  
Deputy Clerk